

3. What are the habitat values in the Curry Creek area as compared to the area west of Lincoln? Would the Curry Creek Community Plan be in the development area?

Response: The PCCP does not place higher or lower values on lands located within the PCCP Planning Area. All undeveloped land located within the future PCCP reserve system would be considered important for the ecological viability of the reserve, providing foraging, shelter, dispersal, and breeding opportunities for wildlife species covered under the PCCP Program. The Curry Creek Community Plan boundary is included as a development area in the majority of the alternatives. The final determination of Curry Creek land uses will be the result of deliberations of the Board of Supervisors.

4. Why is it that on some maps Curry Creek vernal pools are a low priority and on other maps they are a high priority?

Response: None of the map alternatives identify high or low priority vernal pools. The question appears to be directed at why some maps identify vernal pools and others do not. The County has prepared a GIS dataset that identifies the location of vernal pool complexes in western Placer County. Some maps show this dataset and others do not. The maps intended for reproduction at a larger scale tend to include this dataset, and maps intended for reproduction at a smaller scale tend to not include this data as it becomes difficult to read on a small map. Based on the County's GIS dataset, vernal pool complexes have been identified in the Curry Creek area and, depending on the scale and intended purpose of the map, these resources will either be shown or not.

5. The concept of the PCCP will completely take away my property rights. I do not mind zoning regulations. The current status quo system of patchwork acquisition has worked well for the State/Federal government - why should be change the process?

Response: Land in the "purple" areas on the reserve maps will not be rezoned. All of these lands are currently zoned for agriculture or open space uses. Property owners in the purple areas will still have the ability to farm their property (or conduct any activity permitted by the County's Zoning Ordinance) or sell to an interested party if so desired. If a property owner in the purple area wishes to sell their property or an easement on their property for incorporation into the PCCP reserve system, they would have the ability to do so.

Many of the reserves acquired throughout the region were acquired for waterfowl habitat. The resulting patchwork of protected land provides waterfowl habitat in Central Valley's Pacific Flyway and are located throughout the Central Valley, particularly in areas with rice production. The PCCP must

have an integrated conservation area for a wide-range of species, some of which require a watershed-level approach to conservation (i.e., salmon/steelhead). It is not possible to obtain the regulatory coverage of the PCCP with a number of small, isolated, patchy, habitats that serve the need of just one or two species. The Science Advisors Report for the PCCP provides additional information on building the reserve system over time.

6. What is the basis for using a figure of 60,000 acres for the reserve acquisitions?

Response: The 60,000-acre figure in the presentation was a benchmark upon which all alternatives are measured against. Each alternative needs to be compared against the same standard so that the results can be compared accurately. This figure does not represent the final negotiated acquisition acreage. The estimate is the potential area that would be required for the permits sought by the County and its partners. The number was based upon a model run from the County's GIS system from the June 2005 Agency Review Conservation Strategy. This initial conservation strategy used a standards-based approach utilizing fixed ratios of replacement for each habitat or community-type. It is likely that this initial estimate is high. Negotiations on the actual amount of land needed would commence once a reserve area map was selected for further review.

7. The original assumption was 2.5:1 for vernal pools mitigation. Has this number changed?

Response: The February 2005 PCCP impact/take model used a vernal pool mitigation standard of 3.25:1. This ratio included a preservation ratio of 2:1 and a restoration ratio of 1.25:1. That standards-based approach was rejected by the wildlife agencies in June 2005. The model is now dependant upon the acreage of vernal pool preservation achieved in the reserve areas. Restoration will be a part of the PCCP conservation strategy; however, the ratio required is yet to be determined. The resource agencies have indicated that the County needs to focus on the vernal pool preservation numbers prior to discussing ratios for vernal pool restoration.

8. What resources are present that cause a given piece of land to be included in the reserve/purple area?

Response: The reserve area boundary was delineated from a number of factors including: 1) political boundaries; 2) General Plan land use designations that are predominately Agriculture or Open Space; 3) existing habitat; and 4) existing land use. The primary concern is whether or not a given area has the range and quality of natural communities that provide the necessary habitat conditions for the 33 covered species. Some areas are essential to these species (e.g., the vernal pools for the fairy shrimp and

tadpole shrimp), while other areas provide important foraging areas (e.g., grasslands for Swainson's Hawk). For salmon and steelhead, there are site-specific habitat conditions that are necessary (e.g., spawning gravels) as well as more general concerns about water quality.

Some areas do not have the necessary conditions to support listed species, but the fragmentation and development of these areas would preclude the ability to assemble an integrated and comprehensive reserve area. This lack of cohesiveness could result in a patchy or isolated, spatially-separated reserve system. Without these areas holding together the reserve area, it may not be possible to get the regulatory coverage that the County has been seeking. Consequently, all open lands that are unfragmented, even if they do not support sensitive species, can contribute to the viability of the PCCP reserve area.

9. Why is the area at Camp Far West Reservoir near McCourtney Road included in the reserve/purple area when there are no vernal pools present?

Response: The PCCP is intended to provide more regulatory relief than just impacts to vernal pool species. The PCCP covers 33 species that inhabit a range of natural communities including oak woodlands, grasslands, aquatic habitats, riparian areas and rice land. The area near Camp Far West is comprised of oak woodland, oak woodland savannah, riparian areas and wetland areas.

10. Why are the northern and eastern areas of the County included in the reserve/purple area when salmon and steelhead cannot reach those areas?

Response: Salmon and steelhead are not found in the Bear River above Camp Far West Reservoir Dam and similarly are not found on any portion of the American River in Placer County. However, salmon and steelhead are found on Auburn Ravine, Coon Creek, Doty Ravine (a major tributary of Coon Creek), Dry Creek and many of its major tributaries (e.g., Miners Ravine and Secret Ravine). The watersheds of these major drainages cover much of western Placer County, including all of the Loomis Basin and the majority of the foothills east of Lincoln to the Nevada/Yuba County line and westerly to Sutter County. One of the primary impacts on salmonids is the degradation of water quality, including sediment loading. Many of the impacts are generated by development and land use activities throughout the foothills. The PCCP is intended to cover these land development activities throughout the area whenever salmonids are likely to be present.

11. Why are the blue oaks included in the reserve/purple area?

Response: The primary need for oak mitigation is associated with the recently amended State law (Public Resources Code Section 21083.4) related

to CEQA. This statute requires counties to mitigate the conversion of oak woodlands when such conversions will have a significant effect on the environment. Additionally, the County's General Plan, Community Plans and the Tree Preservation Ordinance require conservation/mitigation to oak woodlands. Additionally, by covering oak woodlands now, the County protects itself from the impact of future species listings that are associated with oak woodlands.

12. What construction activities impact the blue oak woodlands?

Response: Impacts on oak woodlands are largely associated with land development activities including building construction, road/driveway construction and other site improvements. Some impacts are associated with agricultural activities (e.g., clearing land for rangeland or vineyard production), but such activities are typically exempt from County and State requirements.

13. Why not protect the existing vernal pools and allow development in areas where there are no vernal pools?

Response: The question appears to be directed at why the County is allowing impacts to vernal pools when avoidance in these areas would eliminate the need for the PCCP reserve area. The adopted General Plans of the County and City of Lincoln, as well as the proposed sphere of influence of Lincoln, show that the logical pattern for growth is to the west of existing services. Growth north of Lincoln is limited by existing entitled mining operations (Teichert), the floodplains of Coon Creek, Yankee Slough and the Bear River and a significant amount of land already protected in perpetuity. Growth to the east is not possible for Lincoln because of the highly fragmented rural residential areas of unincorporated Placer County. For the County, the growth that is being considered is largely consistent with the 1994 General Plan. Portions of the Regional University project and the Placer Ranch project will require General Plan amendments. However, the impacts to vernal pools in these areas are limited. While the Placer Vineyards project has significant vernal pool impacts, the General Plan designation for Placer Vineyards for approximately 14,500 units dates back to 1994. To avoid impacts to vernal pools altogether would require a significant modification to the growth patterns that have been contemplated for western Placer County since 1967 when the County adopted its first General Plan.

14. What values are being used for the possible acquisition of lands? Does this assume outright acquisition (fee title) or conservation easements?

Response: The estimates for a fee title acquisition are derived from the *Cost Analysis for PCCP Alternatives – Revised Draft*, dated November 1, 2006 prepared by Hausrath Economics Group (HEG). These estimates were derived from a number of sources including: Placer County Assessor's Office,

real estate brokers, Natomas Basin Conservancy, and the California Chapter of the American Society of Farm Managers and Rural Appraisers - 2006 Trends in Agricultural Land and Lease Values. The following Table is a per acre summary from the HEG report. Conservation easement values would be approximately 50 percent of the fee title acquisition value. There is an overall assumption that 60 percent of the acquisitions would be fee title and 40 percent would be conservation easements. The final percentage of fee title vs. conservation easements wouldn't be known until after 2050.

	<u>Valley</u>	<u>Foothills</u>	<u>Sutter Co</u>
Vernal pool grassland	\$65,000		
Rice	\$9,000		\$5,000
All other ecosystems (large parcels)	\$15,000	\$10,000	
All other ecosystems (small parcels)	\$25,000	\$25,000	

15. The U.S. Fish and Wildlife Service has succeeded for years by acquiring a patchwork of mitigation lands. Why can we not continue to proceed in that manner?

Response: The question relates to observations, outside of Placer County, where the wildlife agencies have allowed or even encouraged a patchwork of reserve areas as a means of acquiring land for conservation. If such a patchwork is encouraged elsewhere, why is it discouraged in Placer County?

Many of the reserves acquired throughout the region were acquired for waterfowl habitat and the patchwork allowed for acquisitions throughout the Central Valley's Pacific Flyway and are integrated within the rice areas of the valley. The PCCP must have an integrated conservation area for a wide-range of species, some of which require a watershed-level approach to conservation (i.e., salmon/steelhead). It is not possible to obtain the regulatory coverage of the PCCP with a number of small, patchy, habitats that serve the need of just one or two species.

16. Why does the reserve/purple area include farmland off Highway 65 in the Lincoln area when there are no trees or blue oaks?

Response: The area in question is designated Agriculture 80 and is zoned Farm 80-acre minimum. The property owner had previously requested changes to the zoning and General Plan designation during the General Plan update of 1992-94, but was not successful in seeing the designations change. The property is included in the reserve area boundary because of the existing land use designations that potentially provide for the conservation of the property as farmland. Even without listed species being present, the conservation of farmland consistent with the General Plan policies provides for a large reserve area of contiguous properties. If the property owner was a willing seller for conservation purposes, the grassland habitat on the property

provides important habitat for a number of bird species, including the listed Swainson's Hawk. Yankee Slough is also present on the property and has the potential for restoration.

17. I am confused and concerned that proceeding with the PCCP is a taking of the value of my land.

Response: See the response to Question 5.

18. I know of 2 counties that passed regulation for conservation over in the Bay Area. One passed a sales tax so the County could go and purchase conservation land. Placer County passed a law regarding conservation but the people didn't want to pay a sales tax.

Response: The question is directed at the ¼ cent sales tax measure that Sonoma County passed to implement their open space conservation objectives. The County attempted a similar sales tax increase in November, 2000 but was unsuccessful. An accompanying advisory measure passed, but the sales tax did not.

19. Can areas within the reserve/purple boundary still get developed?

Response: The PCCP reserve area does not change the General Plan or zoning designations on any property, either inside or outside the reserve boundary. Consequently, property can be developed consistent with its current land use designations with or without the PCCP. If a property were located within the reserve boundary (purple), a successful application for a General Plan amendment and/or rezoning would effectively remove the property from any potential conservation status. It is possible that any application for such changes, when a property is located within the reserve boundary, may be subject to additional review if the development of such a property caused the viability of the reserve area to be at risk.

20. What wildlife agencies use themselves is a patchwork and they seem to keep using it.

Response: See the response to Question 15.

21. While it is stated some development can still occur within the reserve/purple boundary, much of that area has already been developed with rural residences that will most likely never produce mitigation value. Knowing this, it is reasonable to assume that additional development will be allowed within the reserve/purple area?

Response: In all of the alternatives, most of the purple areas represent parcels that could be incorporated into a reserve system (i.e., those which are

not currently developed). To provide some context, in Alternative 14, the purple area spans approximately 88,200 acres. Of that total, approximately 8 percent (7,458 acres) is comprised of parcels smaller than 20 acres. Thus, approximately 92 percent of the purple area is available for incorporation into the reserve. And of that 92 percent, the County would need approximately 76 percent of the land to be incorporated into the reserve system. In addition, of the approximately 1,125 property owners located in the purple areas, approximately 60 percent of the owners are located within the parcels sized less than 20 acres. Thus, effectively, the majority of the reserve system would be assembled from properties owned by approximately 445 property owners.

22. What is the benefit to having your property in the reserve/purple area, and how can you get out of that area in the future?

Response: The property owner is expressing concerns over the PCCP versus the status quo regulatory environment. The concern is that the PCCP will limit a property owner's right to pursue changes in land use designations. Under the status quo option, a property owner could apply for a General Plan amendment or rezoning without the "stigma" of a reserve designation that at least implies that the property should be preserved versus developed. The question also seeks clarification on how one can be removed from the PCCP reserve area.

The PCCP reserve area does not change the General Plan or zoning designations on any property either inside or outside the reserve boundary. If a property were located within the reserve boundary, a successful application for a General Plan amendment and/or rezoning would effectively remove the property from any potential conservation status. It is possible that any application for such changes, when a property is located within the reserve boundary, may be subject to additional review if the development of such a property caused the viability of the reserve area to be at risk.

23. How does this program help someone in agriculture? What is the benefit of selling the land and having a conservation easement that restricts the property? On a large scale, how does the PCCP benefit farmers/landowners?

Response: While the PCCP is not specifically developed as an agricultural conservation program, the program will provide for agricultural conservation consistent with General Plan policy and the Placer Legacy program. A conservation easement would only restrict the speculative value of the property. Most common agricultural practices could continue. The owner of agricultural land would benefit because they would be able to capitalize the habitat/mitigation value of their land. Overall, agriculture would benefit because the creation of reserves provides for agricultural conservation in perpetuity, limiting the potential for incursion of incompatible land uses. The sensitive species that exist in western Placer County are largely dependent

upon the County's agricultural environment because of the type of crops that grow in the County, the development of a region-wide water infrastructure, and the amount of land dedicated to agricultural production. The County also has the good fortune of having species that have lived with, and even benefited from, the types of agricultural production that exists in our western County landscape.

In terms of the benefits to the development community, that is a clear objective of the PCCP. Regulatory relief is being pursued to provide additional certainty, to avoid redundancy in regulations and to provide some amount of local control. This is to be balanced with improved land conservation and monitoring when compared to status quo where no plan is present and land acquisitions occur throughout the landscape in an uncoordinated manner.

24. What is the definition of a vernal pool?

Response: The definition of a vernal pool is determined by the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service, the regulatory agencies that have jurisdiction over these wetland types. A comprehensive definition and discussion of vernal pool ecosystems can be found in the U.S. Fish and Wildlife Service *Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon*, December 15, 2006 (http://www.fws.gov/sacramento/es/recovery_plans/vp_recovery_plan_links.htm)

The recovery plan provides the following description of a vernal pool:

“....Vernal pools are a unique kind of wetland ecosystem. Central to their distinctive ecology is their ephemeral nature. Vernal pools fill with water temporarily, typically during the winter and spring, and then disappear until the next rainy season. In California, where extensive areas of vernal pool habitat developed over a long geological timeframe, unique suites of plants and animals have evolved that are specially adapted to the unusual conditions of vernal pools. Fish and other predators are among species that have been excluded evolutionarily by the annual filling and drying cycles of vernal pools. The prolonged annual dry phase of the vernal pool ecosystem also has prevented the establishment of plant species typical of more permanent wetland ecosystems...”

25. What is the purpose of the reserve/purple area when the PCCP is going to allow some of the existing vernal pool resources to be destroyed?

Response: There are significant land development proposals that have the potential to impact the remaining vernal pools in Placer County. Impacts to these vernal pools are regulated by the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers. Impacts are expected to take place over the next 20-years or longer. The PCCP provides an alternative regulatory program to address the anticipated impacts by preserving large complexes of vernal pools within a large preserved landscape.

26. Is there anything in that precludes a property owner from certain activities within the reserve/purple area versus what they can currently do?

Response: The PCCP program will not rezone properties. It is up to the property owner if they wish to participate in the program by either selling their property or selling an easement. With the PCCP program in place, property owners in the purple will be able to conduct the same activities they currently conduct, appropriate with the existing zoning on their parcel.

27. Is it really necessary to proceed with the PCCP and create have and have-nots? It would appear that the status quo is more fair.

Response: The status quo alternative cannot be measured for fairness because the outcome over the next 50-years is not predictable. There is no conservation plan under status quo and consequently land acquisitions for mitigation would occur without any sense as to where or when such acquisitions are going to take place. Each project will mitigate its impact following negotiations with the wildlife agencies and potentially following litigation.

While its true that the current system is not broken, the regulatory environment is changing rapidly due to new regulations at the state and federal level, case law, changes in local standards and provide no overall coordination.

28. What are the standards for mitigation for status quo?

Response: For status quo, the standards could vary project-by-project. While there are many guidelines that are used, there are no fixed, regulatory statutes that guide mitigation. The PCCP will recommend fixed standards for the 33 species that are covered by the plan. These standards are intended to be in place for the duration of the permit.

29. Is the PCCP a fair system?

Response: Only an individual who has been regulated can judge fairness. The PCCP is intended to provide all those who are regulated with one common and consistently applied set of regulations.

If the question is directed at whether or not having a reserve boundary treats property owners fairly, the staff can respond by stating that the PCCP does not change the current zoning or land use designations on a given property. Restrictions on future speculative development value would only be imposed if the property owner sold the land for fair market value for conservation purposes in either fee title or with an easement. At the same time, the property owner would receive compensation for the value of the land for habitat reserve and mitigation for impacts associated with land conversion for new development.

30. Is the status quo system going to have larger mitigation ratios?

Response: The status quo regulatory environment will have variable mitigation ratios. Because staff cannot predict how regulations will change over the next 50 years, staff cannot assume whether mitigation ratios will be larger or smaller. The vernal pool ratios that result from the agency-preferred reserve maps (Alternatives 2, 4, 6, and 7) all provide for ratios that are less than the status quo requirement.

31. Why are we protecting vernal pools? Some view these features as 'nature's cesspools' that create habitat for breeding mosquitoes.

Response: The vernal pools are regulated in Placer County because of the presence of federally-listed endangered species, federal regulations related to wetlands and because of their rare native plants. As such they are considered a rare and biological rich environment that is unique to a few parts of the world.

While vernal pools do accumulate water as part of their hydrological cycle, typically vernal pools are drained before mosquitoes breed. Other perennial and seasonal marshes may result in mosquito breeding but it is not common for such problems to be associated with vernal pools.

32. Does being within the reserve/purple area preclude me from filing a development application just as I can today under the current system?

Response: Land located within the white area will be encouraged to mitigate in the purple areas. The PCCP reserve area does not change the general plan or zoning designations on any property either inside or outside the reserve boundary. If a property were located within the reserve boundary, a successful application for a general plan amendment and/or rezoning would effectively remove the property from any potential conservation status. It is

possible that any application for such changes, when a property is located within the reserve boundary, may be subject to additional review if the development of such a property caused the viability of the reserve area to be at risk.

33. Does the PCCP dictate who would oversee the mitigation process?

Response: The PCCP will be managed by a joint powers authority or similar framework and as such mitigation would be coordinated with that agency.

34. If you are in the reserve/purple area and are allowed to develop, do you still need to provide mitigation?

Response: The purple areas represent the general locations where mitigation and land conservation would be encouraged. As in the status quo, development impacts located in the purple and white areas would need to provide mitigation.

35. How does a property owner “get out” of the reserve/purple area?

Response: See the response to Question 22.

36. There are health issues such as West Nile virus that need to be addressed when you consider preserving vernal pools.

Response: See the response to Question 31.

37. Will the reserve/purple area be locked up for 50 years or longer?

Response: The PCCP program would acquire lands in perpetuity.

38. Essentially, properties located in the reserve/purple area that are not adjacent to the white/developed areas would be more or less locked up in perpetuity in the existing land use scenario?

Response: See response to Question 19.

39. Has Placer County ever released through cancellation a Williamson Act contract?

Response: To date, Placer County has not cancelled a Williamson Act contract.

40. Why does the reserve/purple area extend into the Loomis/Penryn basin when there are no resources there?

Response: The Loomis and Penryn area has a number of significant resources, including oak woodlands, riparian areas, wetlands and salmon/steelhead bearing streams with important spawning areas. The PCCP will provide regulatory coverage in this area. In that extensive oak woodlands are not available for conservation in this area and because land values are so high, the majority of the protected lands will be stream corridors and wetlands.

41. Would State and Federal approval be needed to allow properties located within the reserve/purple area to be developed?

Response: If sufficient lands cannot be acquired to meet the County's mitigation obligations, the PCCP agreements cannot be met. Conditions of the permit would need to change (if that was possible) or the permit could be suspended and regulatory coverage through this program would no longer be available. See the response to Question 19.

42. What qualifies an area to be designated purple [conservation] or white [development]? Is the purple area better?

Response: The Planning Department cannot determine an individual property owner's reaction about being within a potential conservation reserve area versus an area (the white boundary) that would be dominated by urban and rural residential development. The one area would insure the long term conservation of agricultural land while the other would be developed with a range of non-agricultural land uses.

The area around Sheridan and along McCourtney Road were excluded from the reserve boundary because they are already subdivided to 10-acre parcels and consequently the property is generally too fragmented to a priority area for acquisitions.

43. What resources were used to identify wetlands and vernal pools for the alternative reserve maps?

Response: The County largely developed its own data resources for the PCCP. The primary source for evaluation is vegetative mapping that was completed down to a 1/10th acre minimum mapping unit using the State's Wildlife Habitat Relationship System for classification.

44. Is it possible that the current maps miss certain resources and include other resources that are not there?

Response: The information was not based upon site-specific information because access to private property is limited. Consequently, more refined information would be needed when evaluating a property for acquisition and to determine the scope of a project's impacts.

45. What data is the resources agency requiring?

Response: The data collected for the PCCP has all been acquired with the knowledge and concurrence of the wildlife agencies.

46. Is there some type of incentive program that would encourage property owners to be included in the reserve/purple area?

Response: All property owners who participate in the PCCP reserve area would be compensated based upon the fair market value of the property rights that they relinquish including an outright sale of the property as one option.

47. Is there an assumption that some resources are protected in the developed/white area?

Response: These numbers assume that stream corridors will be avoided throughout the white areas. An additional standard for onsite avoidance is not factored into these numbers. Resources related to the stream buffers may be incorporated into the reserve system on a project-by-project basis depending on their adjacency to the stream corridor.

48. If the reserve/purple area is seen as an “opportunity area” to be used for mitigation, does that mean that not every acre/parcel within the reserve/purple area will be converted to mitigation land?

Response: The first statement is correct. The “purple” reserve area boundary represents an area within which the conservation strategy would be implemented. It is estimated that approximately 75% of that area would be needed for conservation over the 50-year term of the permit. The anticipated early needs are for grasslands and vernal pools because of the projected location of new urban development. The final acreage determination will be made following the selection of the reserve alternative map, determination of conservation needs and final negotiation on mitigation requirements.

49. Is there a desire to have a collected “vote” by the public on a preferred alternative map? What are the Supervisors wanting to know?

Response: At this time the staff is not recommending a single alternative over any other. We are gathering information to report back to the Board on the public’s opinion about the various alternatives and the PCCP work program in general.

50. Some mitigation properties are getting \$30,000 an acre for property without vernal pools. Do you have any information on those numbers? Are those numbers transferred down?